

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

REBECCA A. WAGNER, D.V.M.
RESPONDENT.

:
:
:
:

FINAL DECISION AND ORDER
LS0902112VET

[Division of Enforcement Case # 05 VET 036]

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Rebecca A. Wagner, D.V.M.
W6794 E. Hubbleton Road
Watertown, WI 53094

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Veterinary Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Veterinary Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Rebecca A. Wagner, D.V.M., (“Respondent”) was born on March 20, 1960, and is licensed to practice veterinary medicine in the state of Wisconsin pursuant to license number 2834. This license was first granted on July 10, 1985.
2. Respondent's most recent address on file with the Wisconsin Veterinary Examining Board is W6794 E. Hubbleton Road, Watertown, Wisconsin 53094.
3. At all times relevant to this proceeding, Respondent was working as a veterinarian at Juneau, Wisconsin.
4. On Tuesday, July 12, 2005, Respondent performed an ovariohysterectomy on Bailey, an eight month old yellow Labrador retriever.

5. Respondent closed the surgical incision with two layers of chromic gut, and surgical glue on the skin.
6. Bailey was released home in good condition, with instructions to her owners to keep Bailey quiet for fourteen days, with no running, jumping or swimming, and instructions to watch for excessive redness, swelling, or discharge from the incision site.
7. On Wednesday, July 13, 2005, Respondent's clinic called Bailey's owners for a routine post-surgical check. The owners reported that Bailey was well.
8. On Thursday, July 14, 2005, the owners called Respondent's clinic and reported that Bailey was licking her incision and that there was some drainage. An appointment was made for the next day, which was the soonest the owners could make it to the clinic during regular hours. Additionally, on arrangement with the owners, an Elizabethan collar was left outside the clinic, for the owners to pick up after the clinic closed Wednesday evening.
9. On Friday, July 15, 2005, Respondent examined Bailey when the owners brought her into the clinic. Respondent noted that Bailey was not wearing the Elizabethan collar, and that she had apparently been chewing on the stitches, and that the incision was infected. Respondent further noted that approximately one inch of the incision line was inflamed, and that both ends of the incision had opened one centimeter or less.
10. Respondent prescribed an antibiotic, Amoxicillin, and stressed the need to keep Bailey quiet and in the Elizabethan collar. Respondent further advised the owners to keep a close watch on the incision and call if the openings at the ends of the incision enlarged further, in case it needed re-suturing, but did not reinforce the sutures.
11. Respondent left the ends of the incision open to drain, in order to avoid excess pressure on the rest of the suture line.
12. Respondent states that she advised the owners against taking Bailey to their weekend cabin.
13. On Saturday, July 16, 2005, at the owner's weekend cabin, Bailey, who had been lying on the deck, stood up, and the owners noted that the incision had broken open, and that Bailey's intestines were coming out of the incision.
14. The owners pushed the protruding intestines back into Bailey, wrapped her with a towel, and took her to a veterinary clinic where the attending veterinarian flushed the abdomen with fluids and antibiotics, replaced the intestines and resutured the incision.
15. On Sunday, July 17, 2005, Bailey was released from the veterinary clinic in apparently good condition, described as bright, alert, happy, eating, and wagging her tail.
16. In transit between the owner's weekend cabin and the owner's home, Bailey began vomiting. The owners took her to an emergency clinic, where she deteriorated into disseminated intravascular coagulation. The owners elected euthanasia.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 453.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).
2. The conduct described in paragraphs 5 and 10, above, constitutes a violation of Wisconsin Administrative Code § VE 7.06(1) in that Respondent closed the abdominal incision on an active puppy in only two layers, using a less reliable suture material, and failed to reinforce the suture line when it began to fail.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Rebecca A. Wagner, D.V.M, is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. The license previously granted to Respondent is LIMITED by the condition that she shall, within nine months of the date of this Order, complete four hours of continuing education in the topic of surgical wound management, and one hour of continuing education in the topic of suture material selection.

- a. Respondent shall locate courses, and submit them to the Board or the Board's designee for approval. The Board will not accept any course that it has not approved for compliance with this Order; the Board in its sole discretion may approve part or all of any course for compliance with this Order. No part of the continuing education required under this Order may be credited toward compliance with any other continuing education requirement to which Respondent may be subject.

- b. Respondent shall submit satisfactory evidence of completion of each course she takes in compliance with this Order to the Board's designee within one month of the date of the course.

- c. This limitation shall be lifted upon satisfactory completion of the continuing education requirements of this Order.

- d. For purposes of this Order, the Board's designee is

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
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3. Respondent shall, within 180 days from the date of this Order, pay costs of this proceeding in the amount of five hundred seventy-five (\$575.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

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4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to pay costs as ordered, or fails to complete the continuing education as ordered, the Respondent's license (#2834) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

5 This Order is effective on the date of its signing.

Wisconsin Veterinary Examining Board

By: Robert Spencer, DVM
A Member of the Board

2/11/09
Date